

# Notice of Allowability

Application No.

10/687,064

Examiner

James H. Alstrum-Acevedo

Applicant(s)

GAUTHIER ET AL.

Art Unit

1616

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an after final amendment filed 6/26/06.
2. ☒ The allowed claim(s) is/are 6,8,9 and 11-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance

*Joseph H. Richter*  
JOSEPH H. RICHTER  
SUPERVISORY PATENT EXAMINER  
GROUP 1600

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The following is an examiner's statement of reasons for allowance: the instant application is distinguished over the prior art of record, because the prior art does not disclose or teach a process of preparing a water soluble tablet coating comprising the steps of (a) applying a water soluble film forming polymer in liquid form to a tablet surface, wherein the film forming polymer comprises one or more monomers selected from the group consisting of acrylic acid, methacrylic acid, itaconic acid and hydroxyalkyl(meth)acrylic acid, maleic acid, alkyl (meth)acrylates, hydroxyalkyl(meth)acrylates and styrene and having acidic functional groups and a degree of neutralization ranging from 30 to 100 weight percent based on the weight of polymer wherein the acidic functional groups are neutralized with a secondary amine and including at least one film modifying agent selected from the group consisting of: triethyl citrate, polyethylene glycol, polypropylene glycol, dipropylene glycol, esters of polyalkylene glycols, polyalkylene glycol adducts, fatty alcohols, alkyl phenols, trimethylol propane, neopentyl glycol, hexane diol, alkyl lactates, ethyl lactate, alkyl citrates, alkyl gluconates, and combinations thereof and (b) drying the film to form a protective coating wherein the polymer film consists essentially of at least one water soluble, film-forming polymer having acidic functional groups and a degree of neutralization ranging from 30-100 weight %. All rejections maintained in the final office action on the merits, mailed on May 4, 2006 have been overcome by Applicants' amendments.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

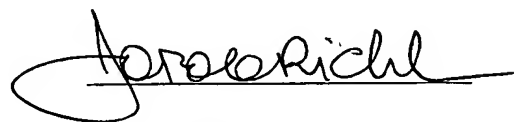
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Alstrum-Acevedo whose telephone number is (571) 272-5548. The examiner can normally be reached on M-F, 9:00-6:30, with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on (571) 272-0664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Alstrum-Acevedo, Ph.D.  
Patent Examiner  
Technology Center 1600

A handwritten signature in black ink, appearing to read 'Johann Richter', with a large, stylized loop at the beginning.

Johann Richter, Ph. D., Esq.  
Supervisory Patent Examiner  
Technology Center 1600